

APPENDIX

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff,
v.
JOHN A. CASILLAS,
Defendant.

CRIMINAL NO. 90-031 (CCC)

**UNITED STATES' MOTION REQUESTING ADDITIONAL TIME TO RESPOND TO
MOTION FOR RETURN OF PROPERTY**

TO THE HONORABLE COURT:

COMES NOW the United States of America, through its undersigned attorneys, and very respectfully states, alleges, and prays as follows:

On October 7, 2004, this Honorable Court ordered the Government to respond on or before November 5, 2004, to defendant's Motion for Return of Property, in relation to the sum of \$97,955 that defendant alleges is in possession of the Government. The undersigned Assistant U.S. Attorney has contacted the DEA case agent in two occasions. However, due to the agent being currently assigned to Bolivia, South America, the process in obtaining information has been slow. The agent has assured to us that he will provide information as to the money seized. However, at this time we do not have sufficient information to properly respond to the motion. The United States respectfully requests that the Court allow the Government until November 30, 2004 to respond to this motion.

WHEREFORE, in light of the abovementioned situation, the United States respectfully requests that this Honorable Court allows the Government until November 30, 2004 to respond to defendant's Motion for Return of Property.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 5th day of November, 2004.

REPORT OF INVESTIGATION

Page 1 of 7

1. PROGRAM CODE	2. CROSS FILE	RELATED FILES	3. FILE NO.	4. G-DEP IDENTIFIER
BY: Jefferson Justice, S/A AT: San Juan, Puerto Rico	<input checked="" type="checkbox"/> SG5-90-0012 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		G5-90-0013	IA1-C1
7. <input type="checkbox"/> Closed <input type="checkbox"/> Requested Action Completed <input type="checkbox"/> Action Requested By:			6. FILE TITLE	
			RAMOS-Rodriguez, Rafael	
			8. DATE PREPARED	
			September 17, 1990	
9. OTHER OFFICERS: See Paragraph 17				
10. REPORT RE: Arrest of John CASILLAS-Pereira, Fernando FACCIO-Laboy, Jose E. BONILLA-Martinez and Julio MALDONADO-Camejo				

SYNOPSIS:

On August 16, 1990, Special Agents of the San Juan District Office arrested John CASILLAS-Pereira, Fernando FACCIO-Laboy, Jose E. BONILLA-Martinez and Julio MALDONADO-Camejo pursuant to a reverse undercover operation that had been initiated in May, 1990. Approximately \$97,995.00 U.S. Currency was recovered as a result of the operation.

DETAILS:

1. On August 16, 1990, at approximately 2:29 P.M., John CASILLAS-Pereira telephoned Special Agent (S/A) Jefferson Justice at the San Juan District Office (SJDO). The telephone call was made in furtherance of the agreement between CASILLAS-Pereira, S/A Justice and SG5-90-0012 to sell cocaine to clients that he, CASILLAS-Pereira, and aka Victor TORRES had cultivated in Puerto Rico. CASILLAS-Pereira informed S/A Justice that he (CASILLAS-Pereira) had seen the required cash down payment. Arrangements to complete the transaction at 4:00 P.M. were affirmed during this telephone conversation.

2. At approximately 4:10 P.M., agents of the SJDO began to establish surveillance and implement plans for arrest procedures at the transaction site which was the FERIA Court Apartments, 1412 FERIA Street, Santurce, Puerto Rico. Those conducting surveillance and arrest procedures were ASAC William J. Mitchell, G/S Michael E. Fredericks, S/A's Thomas X. Geisel, Luis R. Miranda, Joe H. Figueroa, Jerome M. Harris, Enrique Nieves, Philip Jessar and Lizette Yrizarry, Puerto Rico Police Department (PRPD) Agents Carlos Oyola and Ramon Rodriguez, Negociado de Investigaciones Especiales (NIE, Special Investigations Bureau) Agent Alvin Aponte. The PRPD Special Weapons and Tactics (SWAT) Unit was also notified and was prepared to respond in case of emergency.

3. During these initial preparatory activities in the area of the FERIA Court Apartments, S/A Justice and SG5-90-0012 stayed at the SJDO. SG5-90-0012 contacted CASILLAS-Pereira a second time through his pager and informed CASILLAS-Pereira that the transaction would have to be postponed for approximately one half hour. S/A Justice

11. DISTRIBUTION:	12. SIGNATURE (Agent)	13. DATE
REGION	<i>Jefferson Justice</i> Jefferson Justice, Special Agent	10-4-
DISTRICT	14. APPROVED Name and Title <i>Michael E. Fredericks</i> Michael E. Fredericks, Group Supervisor	15. DATE 10/5/90
OTHER AMRI; OC; OIOC		

DEA Form 6
(May 1990)

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REPORT OF INVESTIGATION (Continuation)	1. FILE NO. 05-90-0013	2. G-DEP IDENTIFIER IA1-C1
	3. FILE TITLE RAMOS-Rodriguez, Rafael	
4. Page 5 of 7	5. DATE PREPARED September 17, 1990	
5. PROGRAM CODE		

DESCRIPTION AND CUSTODY OF EVIDENCE:

Exhibit N-36: one (1) standard size cassette tape that contains one tape recorded telephone conversation between John CASILLAS-Pereira and S/A Jefferson Justice. Exhibit N-36 was recorded at the San Juan District Office (SJDO) at approximately 2:29 P.M. on August 16, 1990. Exhibit N-36 was an incoming telephone call received by S/A Justice. S/A Justice maintained Exhibit N-36 in his custody. On September 15, 1990, Exhibit N-36 was processed into evidence and copied onto duplicate cassette tapes. On September 19, 1990, Exhibit N-36 was turned over to the SJDO Evidence Custodian for safekeeping.

Exhibit N-37: one (1) white, rectangular, cardboard box approximately 21 1/2" x 8 1/2". The box bears the words "From Catty Corp. Huntley, IL 60142", "25 Rolls 20 x 50 Ft. Alum. Florist Foil Plain Bright Pink." This lettering appears in blue and black. The box is addressed to Papelera del Plata, Inc., San Juan Bay Development. Exhibit N-37 was used to contain Exhibit N-39, approximately \$97,995.00 in U.S. Currency. Exhibit N-37 was seen in the possession of Jose BONILLA-Martinez and ultimately seized inside the trunk of CASILLAS-Pereira's Volvo automobile. Exhibit N-37 was seized on August 16, 1990, at approximately 5:48 P.M. Exhibit N-37 was maintained in the custody of S/A Justice. On September 15, 1990, Exhibit N-37 was processed into evidence and subsequently turned over to the SJDO Evidence Custodian for safekeeping.

Exhibit N-38: one (1) lock type, blue, money pouch. Exhibit N-38 bears the name "Las Americas Trust Company". Exhibit N-38 also contains two brass colored keys that operate the lock on the blue money bag. Exhibit N-38 was utilized by defendant BONILLA-Martinez to contain part of Exhibit N-39, approximately \$97,995.00 in U.S. Currency. Exhibit N-38 was seized from defendant BONILLA-Martinez pursuant to his arrest on August 16, 1990. Exhibit N-38 was seized by PRPD Agent Ramon Rodriguez. PRPD Agent Rodriguez turned Exhibit N-38 over to S/A Justice who maintained custody of Exhibit N-38. On September 15, 1990, Exhibit N-38 was processed into evidence and subsequently turned over to the SJDO Evidence Custodian for safekeeping.

Exhibit N-39: \$97,995.00 in U.S. Currency. Exhibit N-39 was seized on August 16, 1990 by S/A Justice from Fernando FACCIO-Laboy, John CASILLAS, Jose E. BONILLA-Martinez and Julio MALDONADO-Camejo. Exhibit N-39 was utilized by the above individuals as a down payment for the delivery of approximately 150 kilograms of cocaine. Exhibit N-39 was transported to the SJDO by S/A Justice and G/S Michael E. Fredericks. Exhibit N-39 was placed in an evidence secure storage area. On September 20, 1990, S/A's Justice and Carlos Ramirez transported Exhibit N-39 to Citibank, Hato Rey, Puerto Rico, where it was counted, and its cash value was transferred into a manager's check. Exhibit N-39 was composed of the following bill denominations:

100 x 42, 50 x 23, 20 x 2120, 10 x 1675, 5 x 2199, 1 x 2500

= 77,005

REPORT OF INVESTIGATION (Continuation)

1. FILE NO.
G5-90-00132. G-DEP IDENTIFIER
IA1-C1

3. FILE TITLE

RAMOS-Rodriguez, Rafael

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PROGRAM CODE

6. DATE PREPARED
September 17, 1990

The manager's check for \$97,995.00 was transported to the SJDO where it was placed in evidence secure storage. Exhibit N-39 was processed into evidence on September 20, 1990 and subsequently turned over to the SJDO Evidence Custodian for forfeiture proceedings.

Exhibit N-40: one (1) set of apartment keys to apartment 305 of the FERIA Court Apartments. Exhibit N-40 was discovered on the person of Jose E. BONILLA-Martinez. Exhibit N-40 was seized from Jose E. BONILLA-Martinez on August 16, 1990, pursuant to his arrest. S/A Justice took possession of Exhibit N-40 and transported the exhibit to the SJDO in secure storage. On September 15, 1990, Exhibit N-40 was processed into evidence. Exhibit N40 was subsequently turned over to the SJDO Evidence Custodian for safekeeping.

Exhibit N-41: one (1) automobile registration issued by the Commonwealth of Puerto Rico for a 1985 Ford Bronco bearing Puerto Rico license AMJ-716. Exhibit N-41 was seized from Jose E. BONILLA-Martinez on August 16, 1990, pursuant to his arrest. Exhibit N-41 was discovered by S/A Justice. S/A Justice maintained custody of Exhibit N-41. On September 15, 1990, Exhibit N-41 was processed into evidence and was subsequently turned over to the SJDO Evidence Custodian for safekeeping.

Exhibit N-42: one (1) door, round head key to a 1985 Ford Bronco bearing Puerto Rico license AMJ-716, and one set of door and ignition keys to the same 1985 Ford Bronco. These keys are contained on an initial key ring bearing the initials JB. Exhibit N-42 was discovered by S/A Enrique Nieves in the possession of Jose E. BONILLA-Martinez. Exhibit N-42 was seized pursuant to the arrest of BONILLA-Martinez. Exhibit N-42 was seized on August 16, 1990. Exhibit N-42 was transferred to S/A Justice on the same date. S/A Justice maintained Exhibit N-42. On September 15, 1990, Exhibit N-42 was processed into evidence and subsequently turned over to the SJDO Evidence Custodian for safekeeping.

Exhibit N-43: one (1) white cardboard shoe box. Exhibit N-43 was seized from Fernando FACCIO-Laboy by S/A Justice. Exhibit N-43 was used by FACCIO-Laboy to contain Exhibit N-44, the keys to apartments 102, 105, 203, 204, 205, 303, 304, 305, 402, 403, PH2, PH4 and PH5. Exhibit N-43 was seized on August 16, 1990 pursuant to the arrest of FACCIO-Laboy. Exhibit N-43 was maintained by S/A Justice. On September 15, 1990, Exhibit N-43 was processed into evidence, and subsequently turned over to the SJDO Evidence Custodian for safekeeping.

Exhibit N-44: is comprised of keys to apartments 102, 105, 203, 204, 205, 303, 304, 305, 402, 403, PH2, PH4, PH5. Exhibit N-44 was seized from Fernando FACCIO-Laboy on August 16, 1990 by S/A Justice. S/A Justice maintained custody of Exhibit N-44 until September 12, 1990 when it was turned over to U.S. Deputy Marshal (USDM) Roberto Vizcarrondo to facilitate the seizure of the above referenced apartments. On September 13, 1990, USDM Vizcarrondo returned Exhibit N-44 to S/A Justice. On September 15, 1990, Exhibit N-44 was processed into evidence and was subsequently turned over to the SJDO Evidence Custodian for safekeeping.

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May 1980)

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